

**PUBLIC HEARING REQUIREMENTS**  
**Planning and Zoning Commission (2012)**  
**City of McHenry**

333 South Green Street □ McHenry, IL 60050 □ Tel: (815) 363-2170 □ Fax: (815) 363-2173

The following information is intended to assist a petitioner applying for any development action requiring a public hearing before the Planning and Zoning Commission, including Map Amendments, Conditional Use Permits, Zoning Variances and Minor Variances, and Zoning Text Amendments. A typical development action will take from 45 to 90 days to process.

**REQUIRED FORMS AND ATTACHMENTS**

For all actions requiring a public hearing, information must be submitted in accordance with the following checklist:

**CHECKLIST**

		Zoning Map Amendment	Conditional Use Permit	Zoning Variance	Zoning Text Amendment	Zoning Variance-Minor	Use Variance
1	Application Fee	X	X	X	X	X	X
2	Narrative Description of Proposal	X	X	X	X	X	X
3	FORM A - Public Hearing Application	X	X	X	X	X	X
4	FORM B - Zoning Map Amendment Application	X					
5	FORM C - Conditional Use Permit Application		X				
6	FORM D - Zoning Variance Application			X		X	
7	FORM E - Use Variance Application						X
8	Proof of Ownership and/or Notarized Written Consent from the Property Owner	X	X	X		X	X
9	Plat of Survey with Legal Description	X	X	X		X	X
10	List of Owners of all Abutting Properties	X	X	X		X	X
11	Public Hearing Notice (Example Attached)	X	X	X	X	X	X
12	Site Plan	X	X	X		X	X
13	Landscaping Plan	?	?	?			?
14	Architectural Rendering of Building Elevations	?	?	?			?
15	Traffic Analysis	?	?	?			?
16	School Impact Analysis	?	?	?			?

**SUBMITTAL OF APPLICATION FORMS AND ATTACHMENTS - REQUIRED COPIES**

A preliminary draft of the application forms and attachments should be submitted to City Staff for review **before** finalizing the application. This review will help ensure that the application forms have been completed correctly and that all required attachments have been included.

After receiving confirmation from City Staff, a petitioner can proceed by providing one (1) original plus fifteen (15) copies of all required application forms and attachments prior to the application deadline, as listed below. **All plans and oversized documents must be folded to 9” x 12” or smaller; rolled sheets will not be accepted.**

**2012 PUBLIC HEARING DATES AND APPLICATION DEADLINES**

Public hearings before the Planning and Zoning Commission are usually scheduled on the third Thursday of each month. The hearings are held at 7:30 p.m. in the City Council Chambers, at the McHenry Municipal Center, 333 S. Green Street, McHenry, IL 60050.

To be considered for scheduling before the Planning and Zoning Commission, all required application forms and attachments must be submitted to the Community Development Department no later than 4:30 p.m. on the date of the application deadline. A public hearing date will be confirmed only if all application forms have been completed correctly and all required attachments have been provided.

<b>Public Hearing Dates</b>	<b>Application Deadlines</b>
January 19, 2012	December 30, 2011
February 16, 2012	January 27, 2012
March 15, 2012	February 24, 2012
April 19, 2012	March 30, 2012
May 17, 2012	April 27, 2012
June 21, 2012	June 1, 2012
July 19, 2012	June 29, 2012
August 16, 2012	July 27, 2012
September 20, 2012	August 31, 2012
October 18, 2012	September 28, 2012
November 15, 2012	October 26, 2012
December 13, 2012*	November 21, 2012

\*Meeting scheduled for second Thursday

**APPLICATION FEES**

<b>Development Action</b>	<b>Filing Fee</b>	<b>Retained Personnel Fee*</b>	<b>Total Fee</b>
<b>Zoning Map Amendment (Rezoning)</b>	\$450	\$500	\$950
<b>Conditional Use Permit (CUP)</b>	\$450	\$500	\$950
<b>Zoning OR Use Variance</b>	\$450	\$500	\$950
<b>Zoning Ordinance Text Amendment</b>	\$450	\$500	\$950
<b>Zoning Variance – Minor</b>	\$175	\$250	\$425

**Note:** \* The applicant is required to pay all of the City’s personnel expenses incurred in relation to their request; the initial \$500 Retained Personnel Fee may not be adequate to cover these costs. Personnel expenses that are in excess of the initial deposit will be billed to the applicant. **Further Note:** Definition of **Minor Variance** is found on page 3, paragraph 3a.

**PUBLIC NOTIFICATION REQUIREMENTS**

In order to advise adjacent property owners and the general public of a public hearing, the petitioner must complete certain public notice requirements, including: 1) A hearing notice must be published in a local newspaper; 2) A notice must be sent to all property owners abutting or across the street (right-of-way) from the subject property; and 3) A sign must be posted on the property(except for minor variances.).

1. **Publish a hearing notice in the local edition of Northwest Herald** newspaper for one day. The form of the notice should be based on the attached example (*Figures 1A and 1B*, pages 4 & 5), and must be approved by the Deputy Administrator prior to publication. Once approved by the Deputy Administrator, the notice should be faxed directly to Mary Lou at the Northwest Herald Legal Department. Her fax number is: (815) 477-4960 or an alternative fax number is (815) 477-8898. Her phone number is (815) 526-4566. You can also e-mail the notice to her at MTyne@shawmedia.com. If you e-mail the public notice, please also fax a hard copy. **NOTE: The notice must be provided to the newspaper at least three days prior to the desired publication date by 11:00 a.m.**
2. **Send a copy of the hearing notice via certified mail, return receipt requested**, to the owners (taxpayers) of all properties that are abutting or across the street (right-of-way) from the subject property. A list of these owners is required with the application, and must be approved by the Deputy Administrator prior to mailing. This list should include the tax parcel index number, property address or location, and the taxpayer name and address for each property. Please refer to *Figure 2*, Page 6 to determine which property owners must be notified.

Property mapping and current ownership (taxpayer) information can be obtained at the McHenry County Assessor's Office, 667 Ware Road, Woodstock, IL 60098, (815) 334-4290. If you have never used this office, they are very helpful. All you need is your PIN (Property Identification Number) or tax number-taken directly off of your tax bill. They will show you how to use the maps and the computer in this office. The Assessor's Office can be easily accessed by taking Route 120 west, going straight at the stop sign (Charles Road) to Route 47, turning south on Route 47, and east on Ware Road. The Government Building will be on the left-hand side, approximately ½ mile down.

3. **Post a sign in the front yard of the subject property** where it is visible from a public street and no further than thirty (30) feet from the edge of the right-of-way. A cardboard poster sign is provided by the City, but it must be protected from the elements and posted by the applicant. Simply place some type of plastic that is transparent on the cardboard. Staple the cardboard on a stick and place it in the ground. The sign must remain in place until the public hearing is concluded, and should be removed immediately thereafter.
  - a. **NOTE:** Requests for **Minor Variance** are exempt from sign posting requirements. A Minor Variance is defined as follows:

**MINOR VARIANCE:** a variance granted to the fee owner, contract purchaser or option holder of a single-family detached or attached dwelling or single-family detached or attached building lot for that dwelling or lot.

**IMPORTANT!**

**Public Notice must occur not less than fifteen (15)  
nor more than thirty (30) days prior to the public hearing.**

**All three public notice requirements can be completed  
at the same time (only items 1 and 2 are required for a Minor Variance).**

**Please do not complete any of the public notice requirements until after the Community  
Development Department has confirmed a public hearing date.**

**Figure 1A**  
**Sample Public Hearing Notice**

**PUBLIC HEARING NOTICE**

**FILE Z-\_\_\_\_\_**

**(File Number is Assigned when a Public Hearing Date is Confirmed)**

Notice is hereby given that the City of McHenry Planning and Zoning Commission will hold a Public Hearing at the McHenry Municipal Center, 333 South Green Street, McHenry, Illinois 60050, at 7:30 P.M. on (date), 2012 to consider an application by (Name and address of petitioner) for the following request(s), in accordance with the City of McHenry Zoning Ordinance:

**(Insert the action being requested and a brief description of the project)**

The property consists of (insert acreage), more or less, and is located at (insert address of subject property), which is legally described as follows:

**(Insert Legal Description of the Subject Property here).**

PIN (Property Identification Number) of subject property: (Insert Here)

The property is currently zoned (Insert Current Zoning of the Subject Property-found on City of McHenry Zoning Map or McHenry County Zoning Map if property is located in unincorporated McHenry County).

A copy of the application is on file and may be examined during regular business hours in the City Clerk's Office, at the McHenry Municipal Center, 333 South Green Street, McHenry, Illinois 60050, (815) 363-2100. All interested parties will be given an opportunity to be heard. Published by order of the Planning and Zoning Commission, City of McHenry, McHenry County, Illinois.

Neal Schepler  
Chairman, Planning and Zoning Commission

**Figure 1B**  
**Sample Public Hearing Notice**

**SAMPLE OF COMPLETED**

**PUBLIC HEARING NOTICE**  
**FILE Z-777**

Notice is hereby given that the City of McHenry Planning and Zoning Commission will hold a Public Hearing at the McHenry Municipal Center, 333 South Green Street, McHenry, Illinois 60050, at 7:30 P.M. on December 8, 2011 to consider an application by Kevin and Carol Harrington, 505 Brookwood Trail McHenry, IL 60050 for the following request in accordance with the City of McHenry Zoning Ordinance:

Use Variance to allow a non-approved commercial vehicle to be parked and/or stored in a residential zoning district

The property consists of .35 acres more or less, and is located at 505 Brookwood Trail which is legally described as follows:

Lot 1 in Unit No 2 of Winding Creek Subdivision, being a subdivision of part of the northeast quarter of Section 4, Township 44 north, Range 8, east of the third principal meridian, according to the plat thereof, recorded September 2, 1981, as Document 822764, in McHenry County, Illinois.

PIN: 14-04-251-015

The property is currently zoned RS-3 Medium-High Density Single-Family Residential.

A copy of the application is on file and may be examined during regular business hours in the City Clerk's Office, at the McHenry Municipal Center, 333 South Green Street, McHenry, Illinois 60050, (815) 363-2100.

All interested parties will be given an opportunity to be heard.

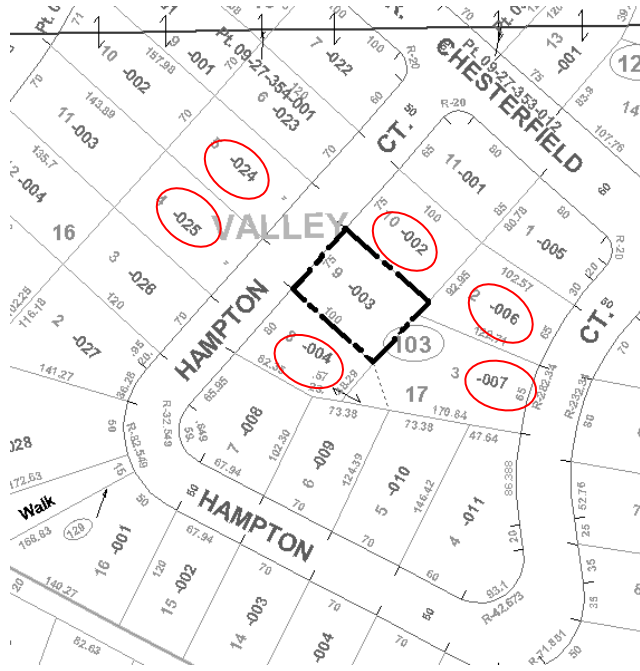
Published by order of the Planning and Zoning Commission, City of McHenry, McHenry County, Illinois.


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/s/ Neal Schepler  
Chairman, Planning and Zoning  
Commission

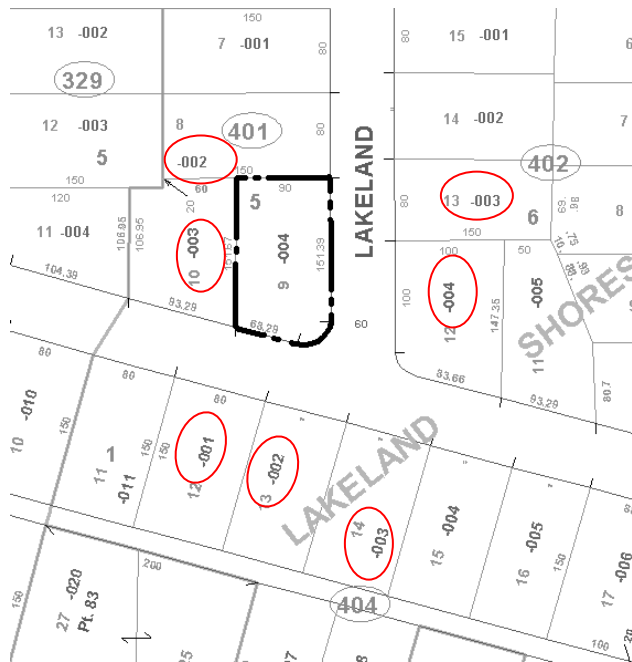
**Figure 2**  
**Notification of Abutting Property Owners.**


To assist in identifying the properties that are abutting or across the street from the subject property, the following illustrations have been developed:




Subject Property: 

Properties that Must Be Notified 



Subject Property: 

Properties that Must Be Notified 

## **VERIFICATION OF PUBLIC NOTICE**

In order to verify the completion of the public notice requirements, the applicant must provide the following items to the Community Development Department **at least five (5) days in advance of the public hearing:**

1. A “Certificate of Publication” from the Northwest Herald for the hearing notice.
2. Postal Return Receipts (white mailing receipts and green return cards) from the certified mailing.
3. An affidavit stating that the applicant has completed all of the public notice requirements. The form of the affidavit should be based on the attached *Figure 3* (Page 8).

**The affidavit should not be submitted until all notification requirements have been met. If you don't have access to a notary, you can complete this document at City Hall, where a notary is available.**

**Figure 3.**  
**Affidavit of Compliance**

**AFFIDAVIT OF COMPLIANCE  
WITH PUBLIC NOTICE REQUIREMENTS**

***(TO BE COMPLETED AFTER ALL PUBLIC HEARING REQUIREMENTS ARE FULFILLED)***

The undersigned, being first duly sworn, on oath deposes and states that all public notice requirements provided in the City of McHenry Zoning Ordinance have been met in connection with the current application before the City of McHenry

**Filed by:**

**(Applicant's Name and Address)**

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**For approval of:**

**(Requested Action)**

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\_\_\_\_\_ **(Applicant's Signature)**

\_\_\_\_\_ **(Applicant's Name and Address)**

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Subscribed and sworn to

before me this \_\_\_\_\_ day

of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Notary Public